

February 24, 2025

Melissa Dreyfus
U.S. Environmental Protection Agency
Office of Water
WQS Program
1200 Pennsylvania Avenue NW
Washington, DC 20460

Re: Arizona Department of Environmental Quality (ADEQ) Comments on the Draft WQS Handbook Chapter on Variances and the revised Designated Uses chapter (Docket ID No. EPA-HQ-OW-2024-0517)

Dear Ms. Dreyfus,

The Arizona Department of Environmental Quality (ADEQ) appreciates the opportunity to review the draft revisions to the *Water Quality Standards Handbook*, including the updated chapters on variances and designated uses. These updates provide valuable guidance, and we commend EPA for incorporating clear explanations, examples, and resources. We would like to submit the following comments and suggestions aimed at further improving clarity, usability, and overall effectiveness:

Draft Chapter 2: Designated Uses

The infographics on use attainability analyses (UAA), examples, and the UAA process steps are very helpful. The diversity of situations presented in the examples serves as an excellent resource.

However, we seek clarification regarding the statement in the 2006 *Improving UAA Process* document (p. 32) that states: “There is nothing wrong with changing Designated Uses after completion of a credible UAA.” While it seems logical to update designated uses in alignment with a credible UAA’s recommendations, it remains unclear whether EPA allows designated uses that diverge from these recommendations. Clarification on this matter would be greatly appreciated. Additionally, we recommend EPA expand on the “Protection of Downstream Uses” section 2.4 of the Handbook. This complex issue requires further elaboration on how to effectively safeguard downstream uses. We note that the FAQ document referenced in the Handbook contains valuable insights, and we suggest incorporating relevant FAQs and example applications into this chapter for the benefit of users.

Draft New Chapter: Water Quality Standards Variances

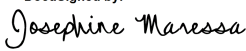
The newly drafted chapter on Water Quality Standards (WQS) variances is well-written and well-structured, covering essential subtopics with clear examples of how to determine the “highest attainable condition.” It defines this term and distinguishes it from the “highest attainable use.” The chapter successfully addresses how variances can apply to individual permittees or entire waterbodies, while also outlining the factors that justify a variance from standard permit conditions. It also clarifies how variances differ from designated use revisions and site-specific criteria. The WQS Variance Overview slide deck is a valuable resource, and the separate toolbox for lagoon wastewater treatment variances is especially useful for addressing ammonia-related issues.

That said, we believe there are opportunities for refinement in certain areas. The WQS Variance Building Tool, while an excellent resource for states developing a variance for a discharge permit, could benefit from improved visibility of the initiation button on the webpage. Furthermore, the current step-by-step format may lead to user frustration, as it does not provide a clear sense of progress or forthcoming questions. We suggest enhancing the tool’s user interface for a more intuitive experience.

Lastly, the four infographics designed for state use effectively communicate how variances to permit conditions operate. However, the infographics titled “Your input is Important” and “State Coordination with the Public is Key” contain excessive text that may not be accessible to the general public. We recommend simplifying these infographics or converting them into a more concise fact sheet format.

Thank you for the opportunity to comment.

Sincerely,

DocuSigned by:

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Josephine Maressa
Deputy Director, Water Quality Division
Arizona Department of Environmental Quality